

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA**

**IN RE: OPERATION OF THE UNITED
STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF
FLORIDA IN THE ABSENCE OF
AN APPROPRIATION BILL OR A
CONTINUING RESOLUTION
ENACTED BY THE UNITED STATES
CONGRESS AND THE PRESIDENT**

Misc. No. 4:95mc40111

ADMINISTRATIVE ORDER

To more specifically define certain Court functions as nonessential during a judiciary shutdown and to clarify the Court's intent to remain fully functional in the event of a shutdown, consistent with its statutory and constitutional mandates, the Court enters the following Order, which supersedes all prior Administrative Orders addressing the Operation of the United States District Court for the Northern District of Florida in the Absence of an Appropriation Bill or a Continuing Resolution.

In the event that an appropriation bill or a continuing resolution funding the operation of the United States Courts is not enacted into law and other funds are not made available by the Administrative Office of the United States Courts to fund the operation of the courts, this order shall take effect to enable this Court to fulfill its constitutional duty to continue to hear and resolve cases and its duty to conduct other activities authorized by law.

The decision of federal cases is mandated by the United States Constitution and is an essential function of the United States government. All Magistrate Judges, Bankruptcy Judges, and all employees of the United States District Court for the Northern District of Florida, including District, Magistrate, and Bankruptcy Judge chambers employees, and all of the Court support unit employees within the United States District Court Clerk's Office, the United States Bankruptcy Court Clerk's Office, and the United States Probation/Pretrial Services Office are necessary and essential support for the exercise of the judicial power of this Court to hear and resolve cases, and to secure and preserve the records, property, and services essential to the continued operation of the Court during a lapse in funding.

Should a lapse in funding occur, all employees described in the preceding paragraph are ordered to report for work according to their regularly scheduled hours, and to continue all normal operations of the Court, except as set forth below.

1. Travel, except for travel related to the resolution of cases, shall not be authorized.
2. All training activity and training-related travel shall be suspended.
3. No new obligations of funds shall be incurred except for the limited obligations that are essential to support and maintain the continuing exercise of the judicial power of this Court to fulfill its constitutional duty to continue to hear cases and its duty to conduct activities authorized by law.
4. No new personnel shall be hired unless deemed essential to support the Court's constitutional duty to hear cases and conduct activities authorized by law, including those related to public safety.
5. The General Services Administration shall maintain all functions necessary for the continued use of all facilities occupied by the United States District Court, the United States Bankruptcy Court, and the United States Probation/Pretrial Services Office for the Northern District of Florida.
6. The United States Marshal's Service shall maintain all functions necessary for the appropriate security of all judges and court employees and for the safe use of all facilities occupied by the United States District Court, the United States Bankruptcy Court, and the United States Probation/Pretrial Office for the Northern District of Florida.
7. All United States Department of Justice attorneys, Federal Public Defender attorneys, and all attorneys representing federal agencies scheduled to appear before this Court are required to appear unless released by order of this Court in a specific case.
8. Except as otherwise specifically provided in this Order, all scheduled proceedings in this Court shall continue without interruption.

All prior Administrative Orders addressing the Operation of the United States District Court for the Northern District of Florida in the Absence of an Appropriation Bill or a Continuing Resolution are vacated.

DONE AND ORDERED this 11th day of October, 2013.

s/ M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE